

§ 101.43 Proceedings following the filing of the petition.

(a) A copy of the petition is served on all other parties.

(b) Interested persons may request intervention by a written motion to the Board. Such intervention may be granted at the discretion of the Board.

(c) All other parties may reply to the petition in writing.

(d) Briefs may be filed.

(e) After review of the record, the Board issues a declaratory order as to whether it will assert jurisdiction over the cases, but it will not render a decision on the merits at this stage of the cases.

(f) The declaratory Board order will be binding on the parties in both cases.

PART 102—RULES AND REGULATIONS, SERIES 8**Subpart A—Definitions**

Sec.

- 102.1 Terms defined in section 2 of the Act.
- 102.2 Act; Board; Board agent.
- 102.3 General counsel.
- 102.4 Region; subregion.
- 102.5 Regional director; officer-in-charge, regional attorney.
- 102.6 Administrative law judge; hearing officer.
- 102.7 State.
- 102.8 Party.

Subpart B—Procedure Under Section 10(a) to (i) of the Act for the Prevention of Unfair Labor Practices**CHARGE**

- 102.9 Who may file; withdrawal and dismissal.
- 102.10 Where to file.
- 102.11 Forms; jurat; or declaration.
- 102.12 Contents.
- 102.13 [Reserved]
- 102.14 Service of charge.

COMPLAINT

- 102.15 When and by whom issued; contents; service.
- 102.16 Hearing; change of date or place.
- 102.17 Amendment.
- 102.18 Withdrawal.
- 102.19 Appeal to the general counsel from refusal to issue or reissue.

ANSWER

- 102.20 Answer to complaint; time for filing; contents; allegations not denied deemed admitted.
- 102.21 Where to file; service upon the parties; form.
- 102.22 Extension of time for filing.
- 102.23 Amendment.

MOTIONS

- 102.24 Motions; where to file; contents; service on other parties; promptness in filing and response; default judgment procedures; summary judgment procedures.
- 102.25 Ruling on motions.
- 102.26 Motions, rulings, and orders part of the record; rulings not to be appealed directly to the Board without special permission; requests for special permission to appeal.
- 102.27 Review of granting of motion to dismiss entire complaint; reopening of the record.
- 102.28 Filing of answer or other participation in proceedings not a waiver of rights.

INTERVENTION

- 102.29 Intervention; requisites; rulings on motions to intervene.

WITNESSES, DEPOSITIONS, AND SUBPOENAS

- 102.30 Examination of witnesses; deposition.
- 102.31 Issuance of subpoenas; petitions to revoke subpoenas; rulings on claim of privilege against self-incrimination; subpoena enforcement proceedings; right to inspect and copy data.
- 102.32 Payment of witness fees and mileage; fees of persons taking depositions.

TRANSFER, CONSOLIDATION, AND SEVERANCE

- 102.33 Transfer of charge and proceeding from region to region; consolidation of proceedings in same region; severance.

HEARINGS

- 102.34 Who shall conduct; to be public unless otherwise ordered.
- 102.35 Duties and powers of administrative law judges; stipulations of cases to administrative law judges or to the Board; assignment and powers of settlement judges.
- 102.36 Unavailability of administrative law judge.
- 102.37 Disqualification of administrative law judge.
- 102.38 Rights of parties.
- 102.39 Rules of evidence controlling so far as practicable.
- 102.40 Stipulations of fact admissible.
- 102.41 Objection to conduct of hearing; how made; objections not waived by further participation.